

THE HONORABLE TANA LIN

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

NICOLE TOKARSKI, on behalf of herself
and all others similarly situated,

Plaintiff,

v.

MED-DATA, INC.,

Defendant.

NO. 2:21-cv-00631-TL

**STIPULATED MOTION AND
~~PROPOSED~~ ORDER TO AMEND
CASE SCHEDULE**

**NOTED FOR CONSIDERATION:
OCTOBER 6, 2022**

I. STIPULATION

On August 1, 2022, the Court entered an Order setting October 13, 2022, as Plaintiff's deadline to file her motion for class certification. Dkt. No. 65. For the good cause explained below, the Parties respectfully request that the Court extend Plaintiff's deadline to file her motion for class certification to January 11, 2023 (90 days from October 13, 2022) and adjust all related response dates for the motion for class certification and other case deadlines to account for the 90-day adjustment.

The Local Rules allow parties to file stipulated motions, including to request relief from a deadline. LCR 7(d)(1); LCR 10(g) (providing that stipulated motions to alter schedules previously set by the court should be supported by reasons justifying the proposed change); *Doe v. Trump*, No. 2:17-CV-00178-JLR, 2017 WL 1378504, at *1 (W.D. Wash. Apr. 11, 2017).

The Parties convened a global mediation of this matter and the related matters in Texas and Kansas on September 8, 2022. Unfortunately, the mediation was not successful. Accordingly, the Parties have agreed to move forward with litigation. The Parties had focused their discovery efforts on matters critical to mediation for efficiency and to avoid delay of that potential point of resolution, including paper discovery and expert testimony. They now seek to complete the additional discovery necessary for class certification briefing, including further fact depositions and third-party discovery.

Extending the current deadlines will allow the parties to complete that necessary discovery prior to class certification briefing and continue to coordinate the related cases to avoid duplication and wasted resources. Additionally, the Parties had previously asked the Court to hold in abeyance any decision on the fully briefed Rule 12(b)(1) motion until after they completed mediation. *See* Dkt. 86. That motion is now ripe for decision and may affect the class certification briefing. For all these reasons, there is good cause to extend the deadline for a motion for class certification.

Accordingly, the Parties agree and stipulate, subject to the Court's approval, to an extension as follows:

EVENT	CURRENT DEADLINE	NEW DEADLINE
Deadline for Plaintiff to File Motion for Class Certification	October 13, 2022	January 11, 2023
Deadline for Defendant to File Response on Motion for Class Certification	November 10, 2022	February 10, 2023
Deadline for Plaintiff to File Reply on Motion for Class Certification	December 1, 2022	March 3, 2023
Discovery Deadline	45 days after Court's ruling on Class Certification	45 days after Court's ruling on Class Certification
Deadline for filing Dispositive Motions	75 days after Court's ruling on Class Certification	75 days after Court's ruling on Class Certification

STIPULATED TO AND DATED this 7th day of October, 2022.

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II. ORDER

Based on the forgoing parties' stipulation and for good cause, it is hereby ORDERED that the current deadlines regarding class certification are EXTENDED by 90 days as set forth in the accompanying motion, and the discovery and dispositive motions deadline are also EXTENDED as set forth in the motion.

Dated this 7th day of October 2022.



Tana Lin
United States District Judge